



Robert K. Malone
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August 7, 2023

The Honorable Michael B. Kaplan
Chief U.S. Bankruptcy Judge
U.S. Bankruptcy Court for the
District of New Jersey
402 East State Street
Trenton, New Jersey 08608
chambers_of_mbk@njb.uscourts.gov

Re: *In re LTL Management LLC*, Case No. 23-12825 (MBK)

Dear Chief Judge Kaplan:

The States of New Mexico and Mississippi (the “States”) concur and join in the request of the Official Committee of Talc Claimants for inclusion of a provision in any order dismissing the above-referenced case enjoining LTL Management LLC (the “Debtor”) from refiling for a period of 180 days. If the Debtor is serious about its need for bankruptcy reorganization in light of the courts’ treatment of its first and second petitions, a period of 180 days is reasonable to establish a basis for a good faith filing. To the contrary, if the Debtor insists on the ability to file petitions repeatedly and at will, the States respectfully suggest that that is only evidence of further bad faith filings. The Debtor’s repeated attempts to file such meritless petitions have become a barrier to the execution of the States’ rightful sovereign authority.

For nearly two years, the Debtor has obstructed the States’ exercise of the sovereignty expressly affirmed by the Eleventh Amendment of the U.S. Constitution to protect non-debtor, Johnson & Johnson (“J&J”). A 180-day injunction prohibiting the Debtor from refiling will restore the States’ authority to exercise their sovereign power to enforce and prosecute their consumer protection laws against non-debtor J&J. The States are charged with protecting their residents and have been deprived from doing so for too long. It is respectfully submitted, therefore, that a third bad faith filing by the Debtor should not be tolerated.

Respectfully yours,

/s/ Robert K. Malone

Robert K. Malone
Director

cc: All counsel of record